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**MINUTES FOR THE**

**ORDINARY COUNCIL MEETING**

**HELD ON**

**Wednesday 21 June 2017**

**SHIRE OF MINGENEW**

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**SHIRE OF MINGENEW**

**MINUTES FOR ORDINARY MEETING OF COUNCIL HELD IN COUNCIL CHAMBERS ON**

**21 June 2017 COMMENCING AT 4.30pm**

# 1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The President, Cr Bagley, declared the meeting open at 4.30pm and welcomed all in attendance.

# 2.0 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

MA Bagley President Rural Ward

GJ Cosgrove Councillor Rural Ward

KL Criddle Councillor Rural Ward

LM Eardley Councillor Town Ward

CR Lucken Councillor Town Ward

**STAFF**

MG Whitely Chief Executive Officer

D Ojha Finance Manager

R Brennan Works Supervisor

**APOLOGIES**

Nil

# 3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

# 4.0 PUBLIC QUESTION TIME/PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

There being no members of public the President proceeded with the meeting allowing a

period of 15 minutes for questions from the public up until 4:46pm

# 5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

# 6.0 DECLARATIONS OF INTEREST

Item 9.2.2 – Cr Eardley declared a financial interest in the item, as such would vacate the meeting during Council consideration of the item.

# 7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES

### 7.1.1 ORDINARY MEETING HELD 19 APRIL 2017

**COUNCIL DECISION – ITEM 7.1.1**

**Moved Cr Eardley Seconded Cr Lucken**

**That the minutes of the Ordinary Meeting of the Shire of Mingenew held in the Council Chambers on 19 April 2017 be confirmed.**

**CARRIED: 5/0**

### 7.1.2 ORDINARY MEETING HELD 17 MAY 2017

**COUNCIL DECISION – ITEM 7.1.2**

**Moved Cr Eardley Seconded Cr Criddle**

**That the minutes of the Ordinary Meeting of the Shire of Mingenew held in the Council Chambers on 17 May 2017 be confirmed.**

**CARRIED: 5/0**

### 7.1.3 SPECIAL MEETING HELD 1 JUNE 2017

**COUNCIL DECISION – ITEM 7.1.3**

**Moved Cr Cosgrove Seconded Cr Lucken**

**That the minutes of the Special Meeting of the Shire of Mingenew held in the Council Chambers on 1 June 2017 be confirmed.**

**CARRIED: 5/0**

### ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

# OFFICERS REPORTS

# CHIEF EXECUTIVE OFFICER

### 9.1.1 2017 WA LOCAL GOVERNMENT CONVENTION

**Location/Address**: 170 Railway Parade, West Leederville

**Name of Applicant**: WALGA

**Disclosure of Interest**: Nil

**File Reference:** ADM0059

**Date:** 12 June 2017

**Author:** Martin Whitely, Chief Executive Officer

**Summary**

This report recommends the registration of Councillors & CEO to attend the 2017 WA Local Government Convention.

**Attachment**

2017 WA Local Government Convention programme attached.

**Background**

The 2017 WA Local Government Convention will be held on Thursday 3rd and Friday 4th August 2017 at the Perth Convention Centre. Prior to the official opening of the convention the State and Local Government Forum will be held on the Wednesday 2nd August from 8.30am – 12.30pm, followed by the WALGA Annual General Meeting from 1.30pm – 5.30pm and the welcoming reception from 5.30pm – 7.00pm.

**Comment**

Rooms have been tentatively booked at the Adina Apartment Hotel which is located directly opposite the Perth Convention Centre. The rooms have been booked for three nights, checking in on the Tuesday and checking out on the Friday and we have until 10 July 2017 to make any cancellations without any penalty.

The previous couple of years Council have only registered for the Thursday of the convention and my thoughts were that we would do the same this year as well as attending the State and Local Government Forum, WALGA Annual General Meeting and Welcoming Reception on the Wednesday.

The delegates to attend the convention has been discussed by Council, but has not yet been finalised. My recommendation is that Councillors wanting to attend the event are registered as we have previously made consideration for attendance at the event in the 2016/17 Budget.

**Consultation**

Nil

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

Funds have been allocated for attendance at the WA Local Government Convention.

**Strategic Implications**

Community Strategic Plan

Outcome 4.2.2 – To be strong advocates representing the Shire’s interests

**Voting Requirements**Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.1.1**

**That registrations are completed for Councillors and/or the CEO as required to attend the WA Local Government Convention commencing Thursday 3 August 2017.**

**COUNCIL DECISION – ITEM 9.1.1**

**Moved Cr Criddle Seconded Cr Eardley**

**That registrations are completed for Councillors Bagley, Cosgrove, Criddle and Eardley and the CEO to attend the WA Local Government Convention commencing Thursday 3 August 2017.**

**CARRIED 5/0**

### 9.1.2 2017 WALGA ANNUAL GENERAL MEETING VOTING DELEGATES

**Location/Address**: 170 Railway Parade, West Leederville

**Name of Applicant**: WALGA

**Disclosure of Interest**: Nil

**File Reference:** ADM0059

**Date:** 12 June 2017

**Author:** Martin Whitely, Chief Executive Officer

**Summary**

This report recommends the appointment of voting delegates and proxies for the 2017 WALGA Annual General Meeting.

**Attachment**

Nil

**Background**

The WALGA Annual General Meeting will be held on 2 August 2017 at the Perth Convention Centre in the lead up to the Local Government Convention. Two voting delegates from each participating Shire are required to be registered with WALGA by 3 July 2017.

**Comment**

Generally the President & Deputy President have been the voting delegates for the Shire, with proxy voting delegates chosen from either attendees at the event each year. I don’t see any reason why this would need to change.

**Consultation**

Nil

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Community Strategic Plan

Outcome 4.2.2 – To be strong advocates representing the Shire’s interests

**Voting Requirements**Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.1.2**

**That Council appoint;**

1. **Cr Bagley & Cr Cosgrove as voting delegates for the 2017 WALGA Annual General Meeting, and**
2. **Cr \_\_\_\_\_\_\_\_ & CEO as the proxy voting delegates**

**OFFICER RECOMMENDATION – ITEM 9.1.2**

**Moved Cr Eardley Seconded Cr Criddle**

**That Council appoint;**

1. **Cr Bagley & Cr Cosgrove as voting delegates for the 2017 WALGA Annual General Meeting, and**
2. **Cr Criddle & CEO as the proxy voting delegates**

**CARRIED 5/0**

### 9.1.3 HIRE OF COOL ROOM POLICY

**Location/Address**: Shire of Mingenew

**Name of Applicant**: Shire of Mingenew

**Disclosure of Interest**: Nil

**File Reference:** ADM0423

**Date:** 14 June 2017

**Author:** Martin Whitely, Chief Executive Officer

**Summary**

This report recommends that Council review a copy of the Draft Mobile Cool Room Policy.

**Attachment**

Draft Mobile Cool Room Policy

**Background**

At the May 2017 Concept Forum there was discussion with regards to the history of the mobile cool room and hiring out of the cool room. At the Concept Forum the Council consensus was that the cool room was originally purchased by the Lions and then given to the Shire on the basis that the cool room be made available to all community groups and residents within the Shire of Mingenew free of charge (bond still applicable) and that a fee be charged for hiring to any interested persons outside of the Shire of Mingenew. The CEO advised that he would present an item to Council at the next meeting with a Policy for the hire for review by Council.

**Comment**

As discussed at the May 2017 Concept Forum a policy for the hire of mobile cool room has been drafted that will allow the Mingenew community to hire the mobile cool room free of charge. As per the adopted 2016/17 Fees & Charges a bond of $145 is still applicable even though there will be no hire charge. The mobile cool room is still available for hire for members outside of Mingenew with a hire fee of $130.

**Consultation**

All councillors

**Statutory Environment**

Local Government Act 1995

**Policy Implications**

If Council agree to the officer recommendation a new Mobile Cool Room Policy would be adopted.

**Financial Implications**

Nil

**Strategic Implications**

Community Strategic Plan

Outcome 3.6.1 - Continue to provide quality facilities for events

**Voting Requirements**Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.1.3**

**That the information is received and that a final copy of the Mobile Cool Room Policy is presented at the July 2017 Ordinary Meeting.**

**COUNCIL DECISION – ITEM 9.1.3**

**Moved Cr Cosgrove Seconded Cr Eardley**

**That the information is received and that a final copy of the Mobile Cool Room Policy is presented at the July 2017 Ordinary Meeting.**

**CARRIED 5/0**

### 9.1.4 2016/17 INTERIM MANAGEMENT LETTER

**Location/Address**: Shire of Mingenew

**Name of Applicant**: Shire of Mingenew

**Disclosure of Interest**: Nil

**File Reference:** ADM0081

**Date:** 14 June 2017

**Author:** Martin Whitely, Chief Executive Officer

**Summary**

This report recommends that Council endorse the recommendation from the Audit Committee to receive the Interim Management Letter and the proposed course of action to address the matters raised in the Interim Management Letter.

**Attachment**

Interim Management Letter

**Background**

Butler Settineri conducted their interim audit on site on 2-3 May 2017. The corresponding draft management letter was emailed to the President and CEO for comment on 1 June 2017. The CEO forwarded responses to Butler Settineri on 9 June 2017 and the final Interim Management as tabled was received on 13 June 2017.

**Comment**

As tabled in the Interim Management Letter I have provided comments to the matters raised in the report. In addition to the comments made in the Interim Management Letter I acknowledge that as the CEO an appropriate course of action should be presented to Council on how these matters raised in the report will be addressed. As such my recommendations on the proposed course of action are as follows;

Written Quotes for Expenditure

At the May 2017 Ordinary Meeting Council reviewed the Shire’s Purchasing Policy. The Purchasing Policy requires all expenditure between $5,000 - $9,999 to have at least one verbal or written quotation, at least two written quotations for expenditure between $10,000 - $39,999, at least three written quotations for expenditure between $40,000 - $149,999 will all expenditure of $150,000 and above required to follow the tender process.

Where written quotes are required, it is the responsibility of the person committing the expenditure to ensure that all written quotes are to be attached to the purchase order relating to the expenditure as evidence of the written quotes obtained.

Tenders

All tenders, whether by WALGA e-Quotes or otherwise must be opened by at least two authorisedpersons. It is also the responsibility of the authorised persons opening the tender to ensure that these details are recorded in the Tender Register. For all tenders not conducted by WALGA e-Quotes all submissions received by email will be made to a separate [tenders@mingenew.wa.gov.au](mailto:tenders@mingenew.wa.gov.au) email address that is only to be accessed after the closing deadline of the tender.

Credit Card Expenditure

Receipts are required for all credit card transactions and where possible any additional supporting information should be provided. For example if accommodation, meal or meeting costs are incurred on the credit card confirmation of scheduled meetings could be provided to further support the credit card receipts.

Segregation of Duties

Currently the Governance Officer vacancy does limit the ability to implement additional control measures. Further segregation of duties control will be implemented when the Governance Officer position is filled.

**Consultation**

Durga Ojha, Finance Manager

Marius van der Merwe, Butler Settineri

**Statutory Environment**

Local Government Act 1995

Local Government (Audit) Regulations 1996

Local Government (Functions & General) Regulations 1996

**Policy Implications**

Purchasing Policy

Credit Card Policy

Delegations Register

**Financial Implications**

Nil

**Strategic Implications**

Community Strategic Plan

Outcome 4.2.2 – An open and accountable local government that is respected, professional and trustworthy

Outcome 4.5.1 – Ensure compliance with local, town planning, building and health and all other relevant

legislation

**Voting Requirements**Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.1.4**

**That Council endorse the Audit Committee recommendation to;**

1. **Receive the Interim Management Letter prepared by Butler Settineri and the comments provided by the CEO, and**
2. **Instruct the CEO to implement the following course of action to address the matters raised in the Interim Management Letter**
3. **All written quotes for expenditure required as per the Shire’s Purchasing Policy are to be attached to the purchase order relating to the expenditure**
4. **All tenders are to be opened by at least two authorised persons, recorded and documented in the tender file by the authorised persons and a separate** [**tenders@mingenew.wa.gov.au**](mailto:tenders@mingenew.wa.gov.au) **be established for tenders submitted by email**
5. **Receipts are required for all credit card transactions and where possible additional supporting documentation is to be provided in support of the receipts**
6. **Segregation of duties to be addressed when the Governance Officer position is filled**

**COUNCIL DECISION – ITEM 9.1.4**

**Moved Cr Criddle Seconded Cr Cosgrove**

**That Council endorse the Audit Committee recommendation to;**

1. **Receive the Interim Management Letter prepared by Butler Settineri and the comments provided by the CEO, and**
2. **Instruct the CEO to implement the following course of action to address the matters raised in the Interim Management Letter**
3. **All written quotes for expenditure required as per the Shire’s Purchasing Policy are to be attached to the purchase order relating to the expenditure**
4. **All tenders are to be opened by at least two authorised persons, recorded and documented in the tender file by the authorised persons and a separate** [**tenders@mingenew.wa.gov.au**](mailto:tenders@mingenew.wa.gov.au) **be established for tenders submitted by email**
5. **Receipts are required for all credit card transactions and where possible additional supporting documentation is to be provided in support of the receipts**
6. **Segregation of duties to be addressed when the Governance Officer position is filled**

**CARRIED 5/0**

### 9.1.5 LATERAL ASPECT – BRANDING & PROMOTION

**Location/Address**: Shire of Mingenew

**Name of Applicant**: Shire of Mingenew

**Disclosure of Interest**: Nil

**File Reference:** ADM0433

**Date:** 14 June 2017

**Author:** Martin Whitely, Chief Executive Officer

**Summary**

This report recommends that Council consider making a financial commitment to the launch of the Shire of Mingenew’s new branding campaign.

**Attachment**

Suggested Branding & Promotion Schedule

**Background**

At the May 2017 Concept Forum Lily Ward and Steve Spicer of Lateral Aspect to provide Council with an update on the status of the Mingenew branding project. At the forum Council were handed a hard copy of a presentation detailing examples of the branding material and there was general discussion on the new logo, E-Newsletter, Website and launch of the new product. Lily Ward advised that the website would soon be going live and following a period of a couple of weeks with the website being operational that some sort of community event could be arranged for an official launch of the new branding strategy for the Shire. A date suggested for the launch was mid to late June 2017.

**Comment**

The new Shire website went live on 12 June 2017 and promotional marketing material has been ordered to assist with an official launch of the Shire’s brand. Speaking with Lateral Aspect they would like Council to make an allocation of funds available to assist in the marketing and promotion of the new brand.

There are currently no funds allocated in the 2016/17 for marketing and promotion of the new branding campaign as funds were only allocated for the conceptual design, implementation of the new website and related resources.

There are three main areas of promotion that have been suggested by Lateral Aspect to target, these are digital, television and billboards. Lateral Aspect is suggesting that the period from June to September be targeted each year to coincide with the wildflower season and have suggested the following spend as a minimum in the following areas and all pricing is GST Exclusive;

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **Jul** | **Aug** | **Sep** | **Oct** | **Nov** | **Dec** | **Jan** | **Feb** | **Mar** | **Apr** | **May** | **Jun** |
| Digital | 1,200 | 1,200 | 1,200 |  |  |  |  |  |  |  |  | 1,200 |
| Television | 2,500 | 2,500 | 2,500 |  |  |  |  |  |  |  |  | 2,500 |
| Billboard(s) | 2,590 | 1,250 | 1,250 |  |  |  |  |  |  |  |  | 1,250 |
| **TOTAL** | **$6,290** | **$4,950** | **$4,950** |  |  |  |  |  |  |  |  | **$4,950** |

Digital advertising includes a Google Adwords and Facebook campaign at a cost of $1,200 month. Ideally the digital advertising would be maintained throughout the year to maintain a presence in the market.

Television is self explanatory and additional funds could be allocated for targeting greater television audiences as the allocation of $2,500 will buy approximately 500 x 30 second commercials a month.

The cost to advertise on Billboards is $1,250 a month however there is also a one off production cost of $1,340 to produce the material to be displayed on the billboard. The billboards are operated by Ooh Media and they have 8 different locations around our location These locations are Shown in the attachment. The billboard that is being suggested for the Shire to use is the one located at Arrowsmith on the Brand Hwy approximately 40km from the Brand Hwy / Midlands Rd intersection.

Based on the table with the proposed minimum spend from Lateral Aspect the cost for marketing and promotion for 4 months in the 2017/18 financial year will be $21,140. If the digital advertising was to be maintained outside of the wildflower season this would be an additional $9,600.

My recommendation is that an allocation of $30,000 be made for branding marketing & promotion in the 2017/18 financial year to enable Lateral Aspect to commence work to coincide with a launch of the new branding product in early July 2017 and Council will have the opportunity to revisit the branding marketing & promotion allocation when adopting the budget.

An allocation of $30,000 would mean that Lateral Aspect would be able to achieve all three forms of advertising as well as maintaining a digital presence for 12 months, albeit this allocation would need to be reduced slightly for the other 8 months to stay within the $30,000 allocation.

**Consultation**

Lily Ward, Lateral Aspect

Mark Lucas, Lateral Aspect

Ella Budrikis, Community Development Officer

**Statutory Environment**

Local Government (Financial Management) Regulations 1996

Local Government Act 1995

Local Government Act 1995 states as follows;

##### **6.8. Expenditure from municipal fund not included in annual budget**

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

(a) is incurred in a financial year before the adoption of the annual budget by the local government; or

(b) is authorised in advance by resolution\*; or

(c) is authorised in advance by the mayor or president in an emergency.

(2) Where expenditure has been incurred by a local government —

(a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and

(b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

**Policy Implications**

Purchasing Policy

**Financial Implications**

There is a financial consideration to proceed with the marketing of the launch of the Shire’s branding campaign. The recommendation is to allow for an amount of $30,000 in the 2017/18 Budget for branding and promotion of the “See you in Mingenew” campaign. Council have the option to provide a greater allocation when the budget process and completed and adopted in August 2017.

**Strategic Implications**

Community Strategic Plan

Outcome 1.1.3 – Support and encourage tourism development

Outcome 1.1.4 – Continue to support local events and promote new events

**Voting Requirements**Absolute Majority

**OFFICER RECOMMENDATION – ITEM 9.1.5**

**That Council;**

1. **Accept the proposed advertising campaign suggested by Lateral Aspect, and**
2. **An allocation of $30,000 be made in the 2017/18 Budget for the branding advertising campaign**

**COUNCIL DECISION – ITEM 9.1.5**

**Moved Cr Eardley Seconded Cr Lucken**

**That Council;**

1. **Accept the proposed advertising campaign suggested by Lateral Aspect, and**
2. **An allocation of $30,000 be made in the 2017/18 Budget for the branding advertising campaign**

**CARRIED 5/0**

### 9.1.6 HOLMWOOD FARMS – REIMBURSEMENT FOR DAMAGED FENCE

**Location/Address**: Shire of Mingenew

**Name of Applicant**: Shire of Mingenew

**Disclosure of Interest**: Nil

**File Reference:** ADM0071

**Date:** 15 June 2017

**Author:** Martin Whitely, Chief Executive Officer

**Summary**

This report recommends that Council consider reimbursing Holmwood Farms for damage sustained to their fence line on the Mingenew Mullewa Rd.

**Attachment**

Letter from Holmwood Farms

**Background**

At the Annual Electors Meeting on 15 February 2017 Mr Jon Holmes informed Council that he had sustained damage to his fences on the Mingenew Mullewa Rd, Coalseam Rd and Depot Hill Rd when the Shire had undertaken clearing of roadside vegetation on these roads and asked if the Shire would have any insurance in place to cover such damage. The CEO commented that he would look into the insurance side of things and that it was disappointing from the Shire’s perspective that where damage had been caused by the Shire that this had not been communicated back to the landowner and resolved in an amicable manner.

**Comment**

After speaking with the insurers they informed me that we will in all likelihood be able to make a claim a claim under out Motor Vehicle policy since the grader is included under this policy. There is a possibility that the claim may not be accepted however we will not for certain until such time that a claim is made. We have an excess of $300 on the Motor Vehicle policy that would need to be paid.

Quotes were requested from both Elders and Landmark 200 x 1650mm galvanised posts and 10 x 200m of 7/90/60 ringlock fencing. The quote from Landmark is $4,285 and I am still waiting on the quote from Elders. Both prices are GST exclusive. As a comparative the online pricing from Rural Fencing Supplies in Maddington was $3,486 + freight.

**Consultation**

Jon Holmes

Andrew Greig, LGIS

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

There is a financial cost of only $300 if the Shire is able to make a claim under the Motor Vehicle Policy, however if a claim was unsuccessful and Council agree to the request from Holmwood Farms then the financial cost would be around $4,000. There are funds allocated in the Rural Road Maintenance budget that could be used to pay for the reimbursement.

**Strategic Implications**

Community Strategic Plan

Outcome 4.1.3 – Improve our levels of engagement and communication with all sectors of our community

**Voting Requirements**Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.1.6**

**That Council;**

1. **Agree to reimburse Holmwood Farms for the damage sustained to their fence line on the Mingenew Mullewa Road by way of purchasing 200 x 1650mm galvanised posts and 10 x 200m of 7/90/60 ringlock fencing as per their request, and**
2. **That an insurance claim is lodged for the cost of the fencing materials, and**
3. **That measures be put in place to ensure there is better communication with landowners when clearing roadside vegetation**

**COUNCIL DECISION – ITEM 9.1.6**

**Moved Cr Eardley Seconded Cr Lucken**

**That Council;**

1. **Agree to reimburse Holmwood Farms for the damage sustained to their fence line on the Mingenew Mullewa Road by way of purchasing 200 x 1650mm galvanised posts and 10 x 200m of 7/90/60 ringlock fencing as per their request, and**
2. **That an insurance claim is lodged for the cost of the fencing materials, and**
3. **That measures be put in place to ensure there is better communication with landowners when clearing roadside vegetation**

**CARRIED 5/0**

# 9.2 FINANCE

|  |
| --- |
| 9.2.1 FINANCIAL STATEMENTS FOR PERIOD ENDING 31 MAY 2017 |

**Location/Address:**  Shire of Mingenew

**Name of Applicant:**  Shire of Mingenew

**Disclosure of Interest:** Nil

**File Reference:** ADM0304

**Date:** 14 June 2017

**Author:** Durga Ojha, Manager of Finance

**Senior Officer:** Martin Whitely, Chief Executive Officer

**Summary**

This report recommends that the Monthly Statement of Financial Activity report for the period ending 31 May 2017 is presented to Council for adoption.

**MFA Attachment-1**

Finance Report for period ending 31 May 2017

**Background**

The Monthly Financial Report to 31 May 2017 is prepared in accordance with the requirements of the Local Government Act and the Local Government (Financial Management) Regulations and includes the following:

* Statement of Financial Activity by Nature & Type
* Statement of Financial Activity by Program
* Statement of Capital Acquisitions and Capital Funding
* Explanation of Material Variances
* Net Current Funding Position
* Cash and Investments
* Budget Amendments
* Receivables
* Cash Backed Reserves
* Capital Disposals
* Rating Information
* Information on Borrowings
* Grants & Contributions
* Trust

**Comment**

|  |  |
| --- | --- |
| **SUMMARY OF FUNDS – SHIRE OF MINGENEW** | |
| Municipal Account | $1,637,243 |
| Business Cash Maximiser (Municipal Funds) | 0 |
| Trust Account | $113076 |
| Reserve Maximiser Account | $331,750 |

Debtor’s accounts continue to be monitored with all efforts being made to ensure that monies are recovered. The following remains outstanding as at 31 May 2017:

**Current 30+ Days 60+ Days 90+ Days TOTAL**

Amount 255,123 151,347 65,970 427 472,867

Rates Outstanding at 31 May 2017 were:

**Current Arrears TOTAL**

Rates 81,857 1,200 83,057

Rubbish 6,150 350 6,500

ESL 1,750 60 1,810

Payment Plan Fees 140 0 140

**TOTAL 89,897 1,610 91,507**

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2016/17 financial year.

**Consultation**

Chief Executive Officer

**Statutory Environment**

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

##### 34. Financial activity statement required each month (Act s. 6.4)

(1A) In this regulation —

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —

(a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and

(b) budget estimates to the end of the month to which the statement relates; and

(c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and

(d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and

(e) the net current assets at the end of the month to which the statement relates.

(2) Each statement of financial activity is to be accompanied by documents containing —

(a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and

(b) an explanation of each of the material variances referred to in subregulation (1)(d); and

(c) such other supporting information as is considered relevant by the local government.

(3) The information in a statement of financial activity may be shown —

(a) according to nature and type classification; or

(b) by program; or

(c) by business unit.

(4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —

(a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and

(b) recorded in the minutes of the meeting at which it is presented.

(5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

**Policy Implications**

Nil

**Financial Implications**

Financial implications are outlined in comments.

**Strategic Implications**

Nil

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.2.1**

**That the Monthly Statement of Financial Activity for the period 1 July 2016 to 31 May 2017 be received.**

**COUNCIL DECISION – ITEM 9.2.1**

**Moved Cr Criddle Seconded Cr Lucken**

**That the Monthly Statement of Financial Activity for the period 1 July 2016 to 31 May 2017 be received.**

**CARRIED 5/0**

### 9.2.2 ACCOUNTS FOR PAYMENT – MONTH ENDING 31 MAY 2017

**Location/Address:** Shire of Mingenew

**Name of Applicant:** Shire of Mingenew

**File Reference:** ADM0042

**Disclosure of Interest:** Nil

**Date:** 14 June 2017

**Author:** Durga Ojha, Manager of Finance

**Senior Officer:** Martin Whitely, Chief Executive Officer

**Summary**

This report recommends that Council confirm the payment of creditors for the month of May 2017 in accordance with the Local Government (Financial Management) Regulations 1996 section 13(1).

**MFA Attachment-2 &3**

Copy of list of accounts due (EFT & cheque payments), which will enable Council to confirm the payment of its creditors in accordance with Local Government (Financial Management) Regulations 1996, Section 13(1).

**Background**

Financial Regulations require a schedule of payments made through the Council bank accounts to be presented to Council for their inspection. The list includes details for each account paid incorporating the payee’s name, amount of payment, date of payment and sufficient information to identify the transaction.

**Comment**

Invoices supporting all payments are available for inspection. All invoices and vouchers presented to Council have been certified as to the receipt of goods and the rendition of services and as to prices, computations and costings, and that the amounts shown were due for payment.

**Consultation**

Nil

**Statutory Environment**

Local Government Act 1996, Section 6.4

Local Government (Financial Management) Regulations 1996, Sections 12, 13 and 15

**Policy Implications**

Payments have been made under delegation.

**Financial Implications**

Funds available to meet expenditure.

**Strategic Implications**

Nil

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.2.2**

**That Council confirm the accounts as presented for May 2017 from the Municipal & Trust Fund totalling $381,861.13 represented by Electronic Funds Transfers of EFT 10779,10781 to EFT10846 and 10853 to 10855, Direct Deduction DD8070.1, 2, 3, 4&5, DD8089.1, 2, 3, 4&5 DD8101.1,2,3,4 & Municipal Cheque numbers 8508 to 8510.**

**4:43pm – Cr Eardley had declared a financial interest in Agenda Item 9.2.2 at the commencement of the meeting and vacated the meeting**

**COUNCIL DECISION – ITEM 9.2.2**

**Moved Cr Cosgrove Seconded Cr Criddle**

**That Council confirm the accounts as presented for May 2017 from the Municipal & Trust Fund totalling $381,861.13 represented by Electronic Funds Transfers of EFT 10779,10781 to EFT10846 and 10853 to 10855, Direct Deduction DD8070.1, 2, 3, 4&5, DD8089.1, 2, 3, 4&5 DD8101.1,2,3,4 & Municipal Cheque numbers 8508 to 8510.**

**CARRIED 4/0**

**4:45pm – Cr Eardley returned to the meeting**

**President Bagley read aloud for the benefit of Cr Eardley the Council decision for Agenda Item 9.2.2**

## 9.3 ADMINISTRATION

Nil

## 9.4 TOWN PLANNING

### 9.4.1 PROPOSED BOUNDARY RATIONALISATION, YANDANOOKA

**Location/Address**: Lots 110 & 500 Midlands Road, Yandanooka

**Name of Applicant**: HTD Surveyors for S & F Fowler

**Disclosure of Interest**: Nil

**File Reference:** A733

**Date:** 16 June 2017

**Author:** Simon Lancaster, DCEO / Planning Advisor, Shire of Chapman Valley

**Senior Officer:** Martin Whitely, Chief Executive Officer

**Summary**

Council is in receipt of correspondence from the Western Australian Planning Commission (‘WAPC’) seeking its comment upon an application to amend the boundaries of Lots 110 & 500 Midlands Road, Yandanooka. This report recommends that Council support the application.

**Attachment**

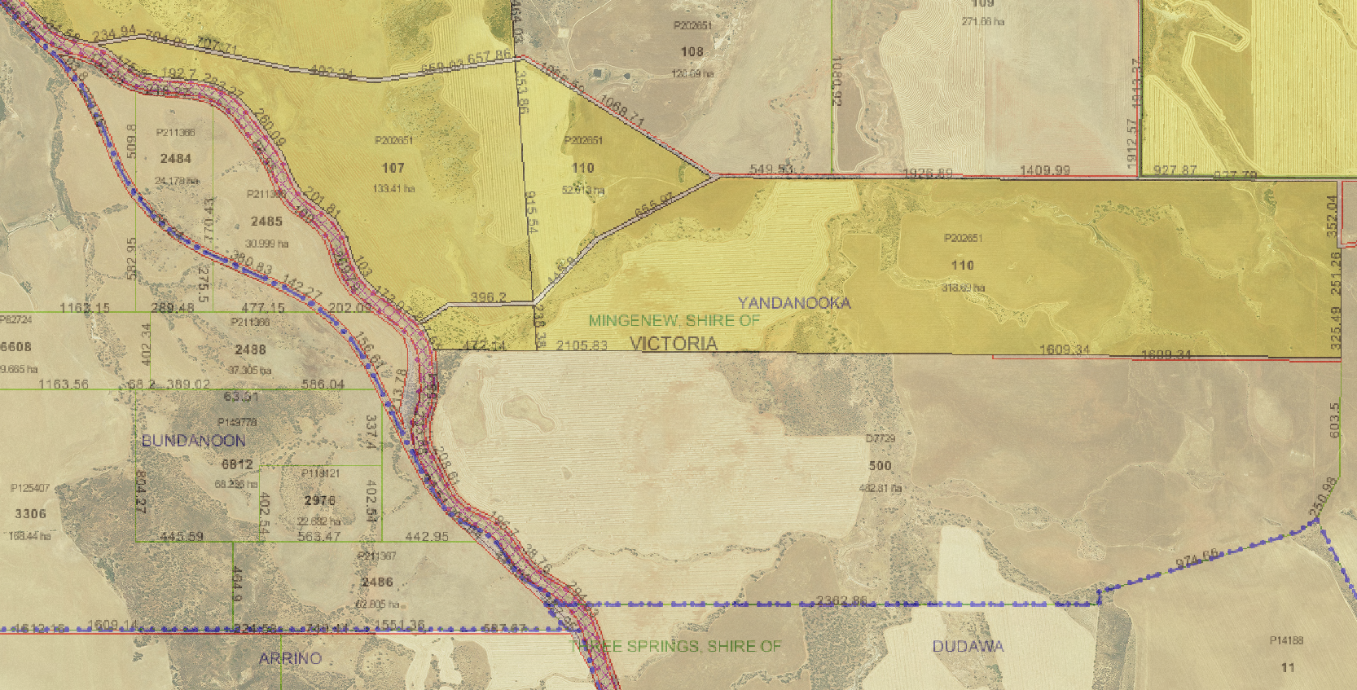
Copy of submitted development application.

**Background/Comment**

Lot 110 Midlands Road, Yandanooka is a 370.83ha property, owned by Steve & Francene Fowler, located on the eastern side of Midlands Roads and the southern side of Mount Scratch Road. Lot 110 contains a residence and associated outbuildings.

Lot 500 Midlands Road, Yandanooka is a 494.71ha property, owned by Spring Valley Pty Ltd (Directors Steve & Francene Fowler), located on the eastern side of Midlands Roads. Lot 500 is located immediately north of the local government boundary with the Shire of Three Springs.

**Figure 9.4.1(a) – Aerial Photograph of Lots 110 & 500 Midlands Road, Yandanooka**



Both properties are largely cleared and used for cropping purposes, with the exception of some remnant vegetation along watercourse tributaries and outcrops.

The applicant is seeking to realign the boundary of the 2 lots to create a 36.2ha lot that contains the existing residence and outbuildings, and a balance 829.3ha lot that contains the farming area.

The applicant’s submitted supporting correspondence and subdivision plan, that elaborates further upon this proposal has been provided as **Attachment 9.4.1**.

**Figure 9.4.1(b) – View of residence and outbuildings upon Lot 110**



**Consultation**

The WAPC is not obliged to undertake any public consultation in its assessment of subdivision applications, but has referred the application out to the Shire of Mingenew, Department of Mines and Petroleum, Department of Parks and Wildlife, Main Roads WA, Public Transport Authority, Water Corporation and Western Power inviting comment.

**Statutory Environment**

Lots 110 & 500 Midlands Road, Yandanooka are zoned ‘Rural/Mining’ under the Shire of Mingenew Local Planning Scheme No.3 (‘the Scheme’).

In its consideration of this application Council should give regard to Section 4.2 of the Scheme, which lists the objectives of the ‘Rural/Mining’ zone as follows:

*“The use of land in the Rural-Mining Zone shall be consistent with the following objectives:*

*• to provide for rights of vehicular access, unfettered as to time, location and circumstance, to any land subject of a planning approval;*

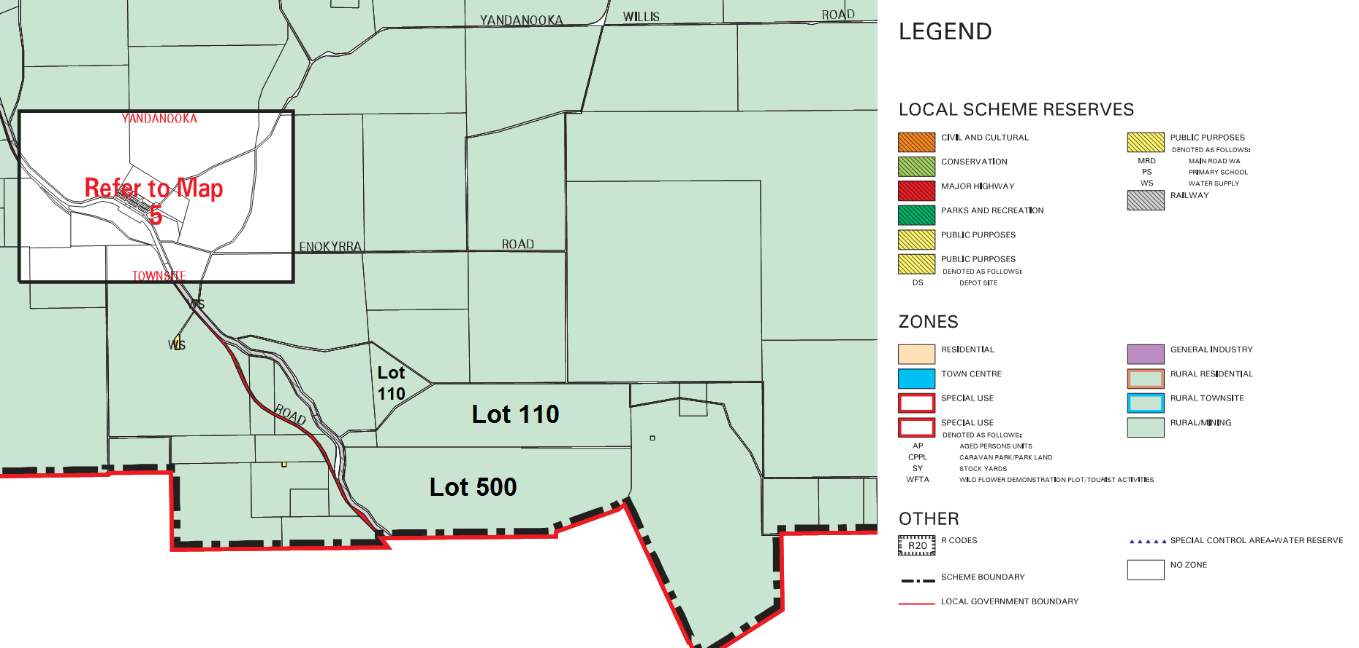
*• to ensure the preservation of the rural character and appearance of land within the zone;*

*• to protect the economic viability of agricultural production via support only for subdivision or boundary relocation which retains or results in lot or location sizes which facilitate ongoing agricultural activity.*

*• to preserve and protect the natural undeveloped land areas throughout the zone and to provide for the planting of trees and other suitable vegetation via the imposition of conditions on any planning consent issued, in order to assist in balancing the greenhouse effect, provide shade, prevent erosion, reduce salinity and provide habitats for native fauna.”*

The application may be considered to meet the objectives of the Shire’s ‘Rural/Mining’ zone, as it would not create any additional lots, would not require the removal of remnant vegetation, and the smallest lot arising from the boundary rationalisation would not be smaller than several existing lots to the south-west in the Yandanooka locality.

**Figure 9.4.1(c) – Scheme Map extract relevant to Lot 110 & 500**



Council should also give consideration to Section 5.23.4 of the Scheme, which lists the following relevant to subdivision in the ‘Rural/Mining’ zone:

*“5.23.4.1 Council will only support subdivision of rural land that is consistent with Commission Policy DC3.4 ‘Subdivision of Rural Land’.*

*5.23.4.2 Council will not approve any development of land where, in the opinion of Council, such development would adversely affect the rural landscape or be contrary to the continued agricultural usage of the land.”*

The application’s level of consistency with WAPC Policy DC3.4 is discussed in the Policy Implications section of this report.

**Policy Implications**

The WAPC have the following policies relevant to this application:

• Statement of Planning Policy 2.5 – Rural Planning (2016); &

• Development Control Policy 3.4 - Subdivision of Rural Land (2016).

State Planning Policies are prepared and adopted by the WAPC under statutory procedures set out in part 3 of the *Planning and Development Act 2005*. The WAPC and Local Governments must have due regard to the provisions of State Planning Policies when preparing or amending Local Planning Schemes and when making decisions on planning matters. The State Administrative Tribunal is also required to take account of State Planning Policies when determining appeals.

Statement of Planning Policy 2.5 has the following objectives

*“(a) support existing, expanded and future primary production through the protection of rural land, particularly priority agricultural land and land required for animal premises and/or the production of food;*

*(b) provide investment security for existing, expanded and future primary production and promote economic growth and regional development on rural land for rural land uses;*

*(c) outside of the Perth and Peel planning regions, secure significant basic raw material resources and provide for their extraction;*

*(d) provide a planning framework that comprehensively considers rural land and land uses, and facilitates consistent and timely decision-making;*

*(e) avoid and minimise land use conflicts;*

*(f) promote sustainable settlement in, and adjacent to, existing urban areas; and*

*(g) protect and sustainably manage environmental, landscape and water resource assets.”*

The WAPC’s Development Control Policies sit within a structure which is established under the State Planning Strategy and Statement of Planning Policy No.1 State Planning Framework. Development Control Policy 3.4 is used by the WAPC as the basis for determining applications for the subdivision of rural land.

WAPC Policy No.3.4 has a general presumption against the subdivision of rural land but makes some provision as follows:

*“5 General policy provisions*

*It is the opinion of the WAPC that rural land uses are the highest and best use for rural zoned land. Where an alternative use is proposed, such as residential, the use must be planned in a strategy or scheme and zoned accordingly.*

*When determining subdivision proposals on rural land, the following measures will be applied:*

*(a) the creation of new or smaller lots will be by exception;*

*(b) proposals will be considered against strategies and schemes;*

*(c) adequate buffer distances for sensitive and/or incompatible land uses can be achieved; and*

*(d) proposals will be assessed against any relevant State planning policies and/or operational policies.*

*6 Circumstances under which rural subdivision may be considered*

*In considering applications under section 6 (a) to (e), the WAPC will consider rural subdivision in the following exceptional circumstances:*

*(a) to realign lot boundaries with no increase in the number of lots, where the resultant lots will not adversely affect rural land uses;*

*(b) to protect and actively conserve places of cultural and natural heritage;*

*(c) to allow for the efficient provision of utilities and infrastructure and/or for access to natural resources;*

*(d) in the Homestead lot policy area (Appendix 2), to allow for the continued occupation of existing homesteads when they are no longer used as part of a farming operation; and*

*(e) for other unusual or unanticipated purposes which, in the opinion of the WAPC, do not conflict with this and other relevant policies and are necessary in the public interest.*

*Although the WAPC seeks to minimise the creation of new or smaller rural lots, there are some circumstances where subdivision of rural land may be appropriate in order to promote better land management and achieve environmental, cultural and/or social benefits. These forms of subdivision, which may result in additional dwelling entitlements, are considered to provide incentives for rural subdivision. As such the remainder of this policy outlines the applicable standards for rural subdivision.”*

*“6.3 Property rationalisation to improve land management*

*Many rural properties comprise multiple titles and landowners may wish to subdivide to achieve better land management. Subdivision may also present opportunities to create access to landlocked lots.*

*Multiple lots in one ownership may be rationalised provided that:*

*(a) there is no increase in the number of lots;*

*(b) the new boundaries achieve improved environmental and land management practices and minimise adverse impacts on rural land use;*

*(c) no new roads are created, unless supported by the local government;*

*(d) new vehicle access points on State roads are minimised; and*

*(e) rural living sized lots (1-40 hectares), created as a result of the rationalisation, have appropriate buffer from adjoining farming uses and water resources, and may have notifications placed on title advising that the lot is in a rural area and may be impacted by primary production.*

*Former road reserves and small remnant portions of lots are not considered lots for the purpose of boundary rationalisation.*

*In instances where a subdivision only proposes to realign existing lot boundaries, where no change to the land use and/or landform is proposed, and no additional development is proposed, applications for property rationalisation may be unconditionally approved.*

*“6.6 Homestead lots*

*The creation of Homestead lots is intended to allow primary producers to continue to occupy their dwelling when they cease to farm, and provide settlement opportunities in areas where land fragmentation is limited and unlikely to increase. Homestead lots are to be created in a manner that is consistent with the rural character and landscape of a locality. Homestead lots may be facilitated through boundary rationalisation or the creation of a new lot.*

*Homestead lots may therefore be created to enable an approved existing house on a rural lot to continue to be occupied provided that:*

*(a) the land is in the DC 3.4 Homestead lot policy area (refer Appendix 2);*

*(b) the homestead lot has an area between one and four hectares, or up to 20 hectares to respond to the landform and include features such as existing outbuildings, services or water sources;*

*(c) there is an adequate water supply for domestic, land management and fire management purposes;*

*(d) the dwelling is connected to a reticulated electricity supply or an acceptable alternative is demonstrated;*

*(e) the homestead lot has access to a constructed public road;*

*(f) the homestead lot contains an existing residence that can achieve an appropriate buffer from adjoining rural land uses;*

*(g) a homestead lot has not been excised from the farm in the past;*

*(h) the balance lot is suitable for the continuation of the rural land use, and generally consistent with prevailing lot sizes, where it can be shown that this is consistent with the current farming practices at the property; and*

*(i) the dwelling on a homestead lot must be of a habitable standard and may be required to be certified as habitable by the local government.*

*Where there are a number of existing approved dwellings on a rural lot, more than one homestead lot may be considered as a one-off application.”*

The proposed Lot 1 would not meet the requirements of a homestead lot under WAPC Policy DC3.4 being 36.2ha in area, but the application could be considered to meet the criteria of Parts 6(a) and 6.3.

**Financial Implications**

The application would not have a budgetary impact to Council.

However it is considered that the subdivider/future landowners of Lot 1 & 2 should be advised that should the creation of Lots 1 and 2 give rise to any expectation that the standard of vehicle access requires upgrading to service Lots 1 & 2, that the cost of such upgrading (if deemed necessary and undertaken by the local government) shall be at borne by the requesting parties, and that there should not be expectation that the local government shall make contribution to such upgrades.

**Strategic Implications**

The Shire of Mingenew Local Planning Strategy (2006) notes the following in relation to subdivision in the ‘Rural/Mining’ zone.

*“Section 7.5 (f) Rural Mining*

*This zone embraces the majority of the Shire area and the major objective of the zone classification is to preserve the current agricultural practice which exists throughout the same. With the above in mind Council is mindful of the need to preserve the present system of land tenure via its non-support of further rural land subdivision.”*

**Voting Requirements**Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.4.1**

**That Council advise the Western Australian Planning Commission that it supports the proposed boundary rationalisation of Lots 110 & 500 Midlands Road, Yandanooka (WAPC Application No.155126) subject to the following:**

**Condition:**

**1 All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme and Building Regulations of Australia.**

**2 Easement being created upon Lot 107 providing right of access to Lots 1 and 2.**

**Advice Note:**

1. **That the subdivider/future landowners of Lot 1 & 2 be advised that should the creation of Lots 1 and 2 give rise to any expectation that the standard of vehicle access requires upgrading to service Lots 1 & 2, that the cost of such upgrading (if deemed necessary and undertaken by the local government) shall be at borne by the requesting parties, and that there should not be expectation that the local government shall make contribution to such upgrades.**

**COUNCIL DECISION – ITEM 9.4.1**

**Moved Cr Cosgrove Seconded Cr Lucken**

**That Council advise the Western Australian Planning Commission that it supports the proposed boundary rationalisation of Lots 110 & 500 Midlands Road, Yandanooka (WAPC Application No.155126) subject to the following:**

**Condition:**

**1 All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme and Building Regulations of Australia.**

**2 Easement being created upon Lot 107 providing right of access to Lots 1 and 2.**

**Advice Note:**

**(a) That the subdivider/future landowners of Lot 1 & 2 be advised that should the creation of Lots 1 and 2 give rise to any expectation that the standard of vehicle access requires upgrading to service Lots 1 & 2, that the cost of such upgrading (if deemed necessary and undertaken by the local government) shall be at borne by the requesting parties, and that there should not be expectation that the local government shall make contribution to such upgrades.**

**CARRIED 5/0**

## 9.5 BUILDING

Nil

# 10.0 ELECTED MEMBERS/MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

# 11.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

### 11.1 ELECTED MEMBERS

### 11.1.1 2017/18 BUDGET MEETING

The President suggested that a date be set for the draft budget meeting.

**COUNCIL DECISION – ITEM 11.1.1**

**Moved Cr Cosgrove Seconded Cr Lucken**

**That Council hold the draft budget meeting at 3pm on Friday 28 July 2017 in the Shire Council Chambers**

**CARRIED 5/0**

### 11.1.2 RECOGNITION OF PAST COUNCILLORS

The President acknowledged the contributions of past councillors Helen Newton and Marguerite Pearce, both of whom had formally resigned since the May 2017 Ordinary Council Meeting and recommended that a formal presentation be made to both past Members of Council.

**COUNCIL DECISION – ITEM 11.1.2**

**Moved Cr Cosgrove Seconded Cr Eardley**

**That the efforts of past Councillors Helen Newton and Marguerite Pearce be formally acknowledged and that Council invite both Helen Newton and Marguerite Pearce to attend a presentation at the conclusion of the July 2017 Ordinary Council Meeting.**

**CARRIED 5/0**

### 11.2 STAFF

Nil

# 12.0 CONFIDENTIAL ITEMS

Nil

# 13.0 TIME AND DATE OF NEXT MEETING

Next Ordinary Council Meeting to be held on Wednesday 19 July 2017 commencing at 4.30pm.

# 14.0 CLOSURE

The Presiding Person closed the meeting at 5.03pm.

**These minutes were confirmed at an Ordinary Council meeting on 19 July 2017.**

**Signed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Presiding Officer**

**Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**